

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

SEAN COLLINS,

Plaintiff,

vs.

SCOTT FRAKES, Director Nebraska
Correctional Department Services -
Individual and Official Capacity;
ROBERT MADSEN, Warden (Nebraska
State Penitentiary) - Individual and
Official Capacity; M. MARTINEZ,
Mental Health Practitioner (Nebraska
State Penitentiary) - Individual and
Official Capacity; J. CONROY, Unit 4
Manager (Nebraska State Penitentiary) -
Individual and Official Capacity; M.
JOHNSON, Case Manager (H66 PC)
Housing Unit 4 in Protect Custody -
Individual and Official Capacity; D.
PELOWSKI, Case Manager (Housing
Unit 6 Protective Custody) - Individual
and Official Capacity; M.
RODRIGUEZ, Case Worker (Housing
Unit 4 Protective Custody) - Individual
and Official Capacity; C. MORSE,
Corporal (D Gallery assigned rotation
for Protective Custody) - Individual and
Official Capacity; and M. REISDORFF,
Sergeant (Assigned in Housing Unit 4) -
Individual and Official Capacity;

Defendants.

8:18CV270

**MEMORANDUM
AND ORDER**

This matter is before the court on correspondence from Plaintiff which the clerk of the court has docketed as a “Motion for Miscellaneous Relief” ([filing no. 14](#)) and a Motion for Extension of Time ([filing no. 15](#)).

Plaintiff seeks an additional thirty days in which to pay his initial partial filing fee and represents that he has submitted a request to remit payment using funds from his account but worries that prison officials will not process the payment before the August 17, 2018 payment deadline set by this court. Upon consideration, the court will grant Plaintiff’s motion for an extension ([filing no. 15](#)), and he will have an additional thirty days from the date of this order to pay the required initial partial filing fee.

With respect to Plaintiff’s correspondence ([filing no. 14](#)), Plaintiff asks if there is a phone number he can call to confirm receipt of his initial partial filing fee payment and if the court can provide Plaintiff with “a handful” of stamped privileged mail envelopes for him to mail his motions, briefs, and summons. Plaintiff is advised that he may contact the office of the Clerk of the Court for information regarding filing fee payments at (402) 661-7350 (Omaha) or (402) 437-1900 (Lincoln). However, the court will not provide Plaintiff with stamped envelopes or cover any postage costs necessary to Plaintiff’s litigation of this action. The fact that Plaintiff has been allowed to proceed in forma pauperis does not entitle him to receive court assistance with postage costs. [28 U.S.C. § 1915](#); *see also Haymes v. Smith*, [73 F.R.D. 572, 574 \(W.D.N.Y.1976\)](#) (“The generally recognized rule is that a court may not authorize the commitment of federal funds to underwrite the necessary expenditures of an indigent civil litigant’s action.”) (citing [Tyler v. Lark](#), [472 F.2d 1077, 1078 \(8th Cir.1973\)](#)).

In his correspondence, Plaintiff also remarks that the court’s “last correspondence . . . is useless since I get NO internet access.” ([Filing No. 14 at CM/ECF p. 1](#).) Plaintiff’s statement appears to refer to the court’s July 27, 2018 Memorandum and Order which advised Plaintiff that the court could not provide him legal advice but directed him to the District Court of Nebraska’s public

website resources for pro se litigants. (See [Filing No. 13 at CM/ECF p. 2.](#)) Plaintiff then goes on to ask, if he can get the librarian to view the court's internet resources for pro se litigants with him, whether he would need the librarian to sign a confidentiality contract or non-disclosure agreement? Again, the court cannot provide Plaintiff with legal advice and will not provide an answer to this question. Accordingly,

IT IS ORDERED that:

1. Plaintiff's "Motion for Miscellaneous Relief" ([filing no. 14](#)) is denied to the extent Plaintiff seeks legal advice and court assistance with postage costs.

2. Plaintiff's Motion for Extension of Time ([filing no. 15](#)) is granted. Plaintiff shall have until September 5, 2018, to pay his initial partial filing fee. The clerk's office is directed to set the following pro se case management deadline: **September 5, 2018**: check for initial partial filing fee payment.

Dated this 6th day of August, 2018.

BY THE COURT:

s/ Richard G. Kopf
Senior United States District Judge